



**ASSEMBLY AMENDMENT 63,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2009 ASSEMBLY BILL 75**

June 11, 2009 – Offered by Representative STRACHOTA.

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 371, line 10: after that line insert:

3 “**SECTION 638e.** 20.865 (4) (a) of the statutes is amended to read:

4 20.865 **(4)** (a) *General purpose revenue funds general program*

5 *supplementation.* Biennially, the amounts in the schedule to be used to supplement

6 appropriations of the general fund which prove insufficient because of unforeseen

7 emergencies or which prove insufficient to accomplish the purposes for which made,

8 to be used to make loans to appropriations from the general or any segregated fund

9 as provided in s. 13.101 (4m) and to provide money for the contract under 2009

10 Wisconsin Act (this act), section 9128 (2q) and miscellaneous expense of the joint

11 committee on finance not to exceed \$250. All loans from this appropriation when

12 repaid shall be credited to this appropriation if repaid during the biennium in which

1 the loan is made. All loans from this appropriation not repaid during the biennium
2 in which the loan is made shall be general purpose revenues–earned. The governor
3 may under this paragraph allot sums not in excess of \$1,000 to any department or
4 agency when necessary, without a meeting of the joint committee on finance. All
5 allotments made under this paragraph by the governor shall be certified by him or
6 her to the department of administration, and expenditures therefrom shall be shown
7 in the state budget report as an additional cost of the state agency to which such
8 allotments were made.”.

9 **2.** Page 1328, line 6: after that line insert:

10 “**SECTION 2478eg.** 227.112 of the statutes is created to read:

11 **227.112 Rule making related to increased costs or regulatory burdens.**

12 **(1)** In this section:

13 (a) “Health care facility” has the meaning given in s. 150.84 (2).

14 (b) “Imminent threat to the public health or safety” means the existence of a
15 condition, circumstance, or practice that would cause death, serious illness, or severe
16 injury to a person or adversely affect the ability of a health care facility to provide
17 health care.

18 (c) “Regulatory board” means a board created under s. 15.405 or 15.406.

19 **(2)** (a) Except as provided in sub. (3), no agency may promulgate a rule that
20 increases costs or regulatory burdens on the persons affected by the rule or that does
21 not reduce the regulatory burden on those persons.

22 (b) Paragraph (a) does not apply if a regulatory board makes all of the following
23 findings regarding a proposed rule and provides evidence supporting those findings
24 at the public hearing under s. 227.16:

1. The monetary benefits to persons subject to the proposed rule substantially outweigh the costs to those persons.

2. The proposed rule is necessary to allow the regulatory board to administer existing statutory requirements or rules.

(3) Subsection (2) does not apply to a rule that is promulgated for any of the following reasons:

(a) To avoid a violation of a court order or a federal law that would result in sanctions by the court or federal government.

(b) To prevent an imminent threat to public health or safety.

(c) To fulfill an obligation related to fees, rates, penalties, or rules that are expressly stated in the Wisconsin Constitution.

(4) This section does not apply to rules that are first effective on the first day of the 24th month beginning after the effective date of this subsection [LRB inserts date].”.

3. Page 1815, line 19: after that line insert:

“(2q) From the appropriation under section 20.865 (4) (a) of the statutes, the joint committee on finance shall contract with the Wisconsin Technology Council for a study of Wisconsin’s regulatory climate and whether that climate impedes job creation. The contract shall provide \$25,000 for the study and shall require the Wisconsin Technology Council to submit the results of the study to the members of the joint committee on finance by December 31, 2010.”.

(END)